

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 98 - HB 87

March 17, 2015

SUMMARY OF ORIGINAL BILL: Requires any facility, entity, or individual licensed by the Department of Health's Division of Health Related Boards to provide efficient and expedient access to the Commissioner, including electronic remote access to all records of such facility, entity, or individual for the purpose of facilitating investigations and inquiries while responding to an immediate threat to public health, welfare, or general good. Electronic access is limited to the duration of the outbreak, event, or time in which the public health is under immediate threat as determined by the Commissioner.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (003857): Limits electronic access to "the minimum necessary" for the duration of the outbreak, event, or time in which the public health is under immediate threat as determined by the Commissioner

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Currently, the Department of Health has access to the medical records referenced in this legislation; however, access is currently confined to telephone, fax, and the manual collection of records which includes a considerable amount of printing and mailing.
- Most of the records are currently accessible via online, off-site access to employees of medical staff in the form of electronic medical records (EMRs) that include all of the data necessary for public health investigations.
- Requiring access to EMRs during an outbreak, event, or time in which the public health is under immediate threat will result in nominal savings to the Department as such instances are very rare.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly legible.

Jeffrey L. Spalding, Executive Director

/jdb